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Attorneys for Defendant and Counterclaim-  
Plaintiff Sayers Construction, LLC

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, For  
the Use of Benefit of SOURCE  
HELICOPTERS, DIVISION OF  
ROGERS HELICOPTERS, INC., a  
California corporation,

Plaintiff,

vs.

SAYERS CONSTRUCTION, LLC, a  
Texas limited liability company  
PHILADELPHIA INDEMNITY  
INSURANCE COMPANY, a  
PENNSYLVANIA corporation; and  
DOES I-V and ROE CORPORATIONS I-  
V,

Defendants.

Case No.: 2:19-cv-1602-JCM-EJY

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR *JOINT*  
*PRETRIAL ORDER*  
(First Request)**

1 Use-Plaintiff, Source Helicopters, Division of Rogers Helicopters, Inc. (“Plaintiff” or  
2 “Rogers”), and Defendants, Sayers Construction, LLC (“Sayers”) and Philadelphia Indemnity  
3 Insurance Company (“PIIC”), by and through their attorneys, hereby stipulate and request the Court  
4 extend the parties’ deadline to file the Joint Pretrial Order. In support of this stipulation and request,  
5 the following is provided, pursuant to LR IA 6-1:  
6

7 The deadline for filing the Joint Pretrial Order in this action is currently set for Wednesday,  
8 April 13, 2022. This deadline was triggered by the Court’s March 14, 2022 Order on the parties’ cross-  
9 motions for summary judgment [Dkt. #92]. On March 21, 2022, counsel for Sayers tried to call counsel  
10 for Plaintiff to discuss logistics regarding the Joint Pretrial Order and to propose a mediation in light  
11 of the Court’s guidance provided by the March 14, 2022 Order and followed up via email. Counsel  
12 for Sayers and counsel for Plaintiff spoke about logistics regarding the Joint Pretrial Order on March  
13 23, 2022, and counsel for Plaintiff represented a draft of the Joint Pretrial Order would be circulated  
14 on or by April 1, 2022. Unfortunately, a draft was not circulated until April 6, 2022, at 3:26 pm PT.  
15 Sayers and PIIC contend they have not had an opportunity to confer with Plaintiff on objections.  
16 Counsel for Sayers sent an email on Friday, April 8, 2022, at 1:53 pm PT and requested a continuance  
17 to complete the Joint Pretrial Order based on the state of the draft. Counsel for PIIC responded on  
18 Friday, April 8 at 2:17 pm PT and agreed an extension would be necessary and supported a stipulated  
19 extension. To date, Sayers or PIIC have not provided specific revisions Plaintiff’s draft of the Joint  
20 Pretrial Order.  
21

22  
23 Counsel for Sayers has, and will continue to have, an unusually busy docket, including but not  
24 limited to the following deadlines and events:

- 25 • March 28, 2022 – Deadline for reply brief in Texas state court appeal
- 26 • April 4, 2022 – Deposition in Texas state court lawsuit
- 27 • April 6, 2022 – Deadline to file responsive briefing to dispositive motion practice in Texas  
28 state court lawsuit

- April 7, 2022 – In-person hearing on dispositive motion practice in Texas state court lawsuit
- April 19, 2022 – Deposition in Eastern District of Texas lawsuit
- April 20, 2022 – Deposition in Texas state court lawsuit
- April 20, 2022 – In-person hearing in Texas state court lawsuit
- April 22, 2022 – In-person hearings and depositions in Texas state court lawsuits
- May 2, 2022 – Deadline for expert disclosures in Eastern District of Texas lawsuit
- May 3, 2022 – Deposition in Texas state court lawsuit

These events have and will take away time from the adequate preparation of the Joint Pretrial Order. Additional time is necessary to complete parties' respective sections of the Joint Pretrial Order and to meaningfully confer on their respective objections to witness, exhibit, and deposition designations.

Counsel for Sayers and counsel for PIIC have conferred via teleconference and propose a mediation could be productive in light of the Court's March 14, 2022 Order on the parties' cross-motions for summary judgment [Dkt. #92].

In consideration of the above, the parties submit good cause is present for their request for an extension of the current deadline for the Joint Pretrial Order. The parties propose the current April 13, 2022 deadline for filing the Joint Pretrial Order shall be extended to **Wednesday, May 11, 2022.**

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**GRIFFITH BARBEE, PLLC**By /s/ Casey Griffith

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**Dated: April 11, 2022****THE FAUX LAW GROUP**By /s/ Kurt C. Faux

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**Dated: April 11, 2022****IT IS SO ORDERED:**

  
 U.S. MAGISTRATE JUDGE

**DATED: April 12, 2022**